

## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

1 PERFECT 10, INC.,

2 Plaintiff,

3 vs.

4 YANDEX N.V.,

5 Defendant.

6 CASE NO. CV-12-1521-WHA

7 **[PROPOSED] ORDER GRANTING  
SPECIALTY-APPEARING DEFENDANT  
YANDEX N.V.'S MOTION FOR  
PROTECTIVE ORDER**

8  
 9  
 10 This matter is before the Court on specially-appearing defendant Yandex N.V.'s motion  
 11 for a protective order precluding Plaintiff Perfect 10, Inc. from deposing Arkady Volozh, Chief  
 12 Executive Officer of Yandex N.V. and Yandex LLC, on the grounds that Mr. Volozh is an "apex"  
 13 executive and that Perfect 10 has failed to satisfy the relevant legal standard to depose him. (Dkt.  
 14 no. 34.) The parties were unable to resolve this dispute via meet and confer, and the Court heard  
 15 oral argument on August 8, 2012. (Dkt. no. 41.) Having considered the parties' written and oral  
 16 arguments, and for good cause shown, the Court hereby orders as follows:

17 1. Yandex N.V.'s motion for a protective order precluding the deposition of Arkady  
 18 Volozh is GRANTED as follows: Perfect 10 may not depose Arkady Volozh. Instead, Perfect 10  
 19 may depose two alternative witnesses, John Dowdy and Charles Ryan, during the week of August  
 20 13, 2012. The Court's Order in this regard is without prejudice to Perfect 10's ability to renew its  
 21 request for Mr. Volozh's deposition, should Mr. Dowdy and Mr. Ryan prove not knowledgeable  
 22 regarding the ~~narrow~~ jurisdictional discovery subjects identified in the Court's June 11, 2012  
 23 order. (Dkt. No. 24).

24 2. In advance of any trip by Mr. Volozh to the United States or any of its territories  
 25 during the pendency of this case, Yandex N.V. shall file a notice with the Court and advise Perfect  
 26 10 of such trip.

1       3. The parties' deadline to submit supplemental briefs on Yandex N.V.'s motion to  
2 dismiss for lack of personal jurisdiction is extended to August 23, 2012.  
3

4       IT IS SO ORDERED.

5       Dated: August 20, 2012

  
WILLIAM H. ALSUP  
UNITED STATES DISTRICT JUDGE

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28